

RECEIVED

APR - 3 2006

**U.S. MAGISTRATE
JUDGE**

STEPHEN J. SORENSON, Acting United States Attorney (#3049)
KARIN FOJTIK, Assistant United States Attorney (#7527)
Attorneys for the United States of America
185 South State Street, Suite 400
Salt Lake City, Utah 84111-1506
Telephone: (801) 524-5682
Facsimile: (801) 524-4475

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,	:	Case No. <u>N-06-125 M</u>
	:	
Plaintiff,	:	
	:	COMPLAINT
vs.	:	
	:	
	:	
EDDIE WELLS,	:	VIO:18 U.S.C. § 2422(b)
	:	[Coercion and Enticement For Illegal
Defendant	:	Sexual Activity];

Before Honorable David Nuffer, United States Magistrate Judge for the District of Utah, appeared the undersigned, who on oath deposes and says:

COUNT I
(18 U.S.C. § 2422(b))
(Coercion and Enticement)

During October 2005, and on or about March 30, 2006, in the Central Division of the District of Utah,

EDDIE WELLS,

the defendant herein, did knowingly and intentionally, by means of a facility of interstate commerce, persuade, induce, entice, and coerce an individual who had not attained the age of 18 years, to engage in sexual activity for which a person can be charged with a criminal offense, or attempted to so persuade, induce, entice, and coerce; all violation of Title 18, United States Code, Section 2422(b).

STATEMENT OF FACTS

I, Petra Butler, being duly sworn, hereby depose and state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation, and have been so employed since 1995. I also was employed for five years with the Secret Service. I am currently assigned to the Provo Resident Agency.

2. I am currently assigned to the Utah County Sex Crimes Task Force. My training includes attendance at the Innocent Images On-Line Investigation Course as well as Various crimes against children investigative courses. In the course of my employment, I have investigated numerous cases involving coercion and enticement.

3. This affidavit is made in support of a criminal complaint charging EDDIE WELLS with attempting to persuade, induce, entice and coerce an individual who had not attained the age of 18 years, to engage in sexual activity in violation of 18 U.S.C. § 2422(b).

4. The information set forth below has come from either personal investigation or has been related to me personally by other law enforcement officers associated with this

investigation.

5. Your affiant knows that in October 2005, and on March 30, 2006, law enforcement working in an undercover capacity, entered a Yahoo! chatroom using the persona of a 13 year old girl and a screen name "tiffaniegurl05." This screen name was contacted via Yahoo! Instant Messenger by an individual using the screen name, "fastandfurious_21."

5 *WAF/12*
6. In October 200~~5~~, "tiffaniegurl05" indicated she was "almost 14" in response to "fastandfurious_21's" questions about her age. Shortly after the chat began the conversation turned sexual, and "fastandfurious_21" asked if "tiffaniegurl05" if they met if he could "get in your pants." He also asked if she would perform oral sex. He also indicated they would have sexual intercourse if they met. He said he drove a 96 Tahoe, a meeting was not arranged based on this chat. He indicated he was from "Price."

7. On March 30, 2006, "fastandfurious_21" initiated a chat with "tiffaniegurl05" and she reminded him she was "almost 14." When asked what they would do if they met that evening he replied, "have sex." "Fastandfurious" arranged to meet "tiffaniegurl05" in an hour and a half at a park in Provo, Utah. "fastandfurious" said he would be driving a "green tahoe."

8. At the time arranged for the meeting officers observed a green Tahoe pull into the parking lot of the park. The individual was arrested and provided identification indicating his name was Eddie Wells and he resided in Helper, Utah. Your affiant is

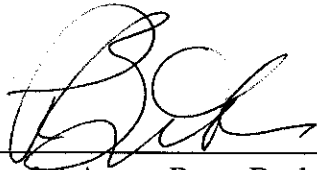
aware that Helper, Utah is approximately an hour and a half from Provo, Utah and that Price, Utah neighbors Helper, Utah. Wells stated he was there to meet his cousin who lived "down the road." When asked why he did not drive to his cousin's house, he stated his cousin was walking to the park to meet him.

9. Wells was arrested, and taken back to the station and read *Miranda* rights and requested counsel. A search of vehicle recovered a jacket with an unused condom in the pocket. Also recovered was a receipt indicating that Wells had obtained \$20 from an ATM in Helper, Utah at 6:16 p.m. The timing on this receipt was approximately 17 minutes after "fastandfurious" signed off of his chat.

10. I know from experience that Yahoo! is located in Sunnyvale, California and that any transmission from a person using Yahoo! is relayed to and from California. Because defendant and your affiant were using Yahoo! to communicate, the sexually explicit communications traveled in interstate commerce.

13. The defendant, EDDIE WELLS, attempted to meet the 13 year-old female in Provo, Utah for purpose of conducting illegal sexual behavior, which act, if completed would constitute a criminal offense under Utah law. Your affiant submits there is probable cause to believe that Wells violated 18 U.S.C. § 2422(b), Coercion and

Enticement for Illegal Sexual Activity.



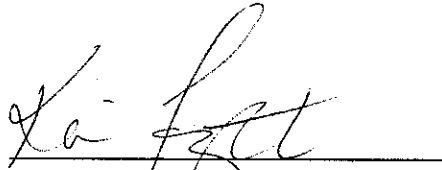
Special Agent Petra Butler
Federal Bureau of Investigations

SUBSCRIBED AND SWORN TO BEFORE ME THIS 3 DAY OF ^{April} ~~February~~, 2006.



Hon. ~~Petra Butler~~ David Bluff
United States Magistrate Judge

APPROVED:
STEPHEN J. SORENSON



KARIN FOJTIC
Assistant United States Attorney